

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. William Demetrius McFadyen

Docket No. 5:95-CR-83-7BO

Petition for Action on Supervised Release

COMES NOW Eddie J. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of William Demetrius McFadyen, who, upon an earlier plea of guilty to 21 U.S.C. §846 and 841(a)(1), Conspiracy to Possess with the Intent to Distribute and to Distribute Cocaine Base (Crack) and 18 U.S.C. §924(c) and 2, Use and Possession of a Firearm During and in Relation to a Drug Trafficking Crime, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on February 29, 1996, to the custody of the Bureau of Prisons for a term of 270 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall submit a written weekly report to the probation office, if not regularly employed, of attempts to secure gainful employment.
3. The defendant shall support his dependents.

On June 16, 1996, pursuant to a Rule 35 Motion, the court amended the imprisonment sentence to 168 months. William Demetrius McFadyen was released from custody on August 22, 2007, at which time the term of supervised release commenced. As a result of the defendant committing the new criminal offense of Resisting Public Officer, the court modified the conditions of supervision on November 5, 2008, to include the following:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Since the defendant's release, he has only been sporadically employed or in school. To assist him with job readiness skills, we are recommending that the conditions of supervision be modified to include vocational training, cognitive behavioral training, and educational services.

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The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a vocational training program as directed by the probation office. Such program may include job readiness training and skills development training.
2. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
3. The offender shall participate in an educational services program as directed by the probation officer. Such program may include GED preparation, English as a Second Language classes, and other classes designed to improve the offender's proficiency in skills such as reading, writing, mathematics, or computer use.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: July 12, 2010

ORDER OF COURT

Considered and ordered this 17 day of July, 2010, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge